

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

SINGULAR COMPUTING LLC,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

C.A. No. 1:19-cv-12551-FDS

Hon. F. Dennis Saylor IV

**DEFENDANT GOOGLE LLC'S
UNOPPOSED MOTION TO IMPOUND/SEAL DESIGNATED MATERIAL**

Pursuant to Local Rule 7.2 and the Protective Order in this case (“Protective Order”), (Dkt. No. 87), Defendant Google LLC (“Google”) respectfully requests that this Court impound (seal) an un-redacted copy of (i) Google’s Reply in Support of its Motion to Exclude Certain Opinion Testimony of Phillip Green (Dkt. No. 524), (ii) Google’s Reply in Support of its Motion for Summary Judgment of Non-Infringement (Dkt. No. 527), and (iii) Google’s Reply in Support of its Motion to Exclude Certain Opinion Testimony of Sunil Khatri Ph.D. (Dkt. No. 525).

The Protective Order allows a party producing documents in discovery to designate documents as “Confidential” after making a good-faith determination that the documents contain information that is “confidential, proprietary, and/or commercially sensitive information,” and to designate documents as “Highly Confidential – Attorneys’ Eyes Only” after making a good-faith determination that the documents contain information that is extremely confidential and/or sensitive in nature and the disclosure of such documents is likely to cause economic harm or significant competitive disadvantage. Protective Order ¶¶ 6-7. That Order requires that a party intending to make court filings referring to such Protected Material bring a motion to impound. *Id.*

¶ 14.

Google's above-identified reply briefs quote and/or discuss confidential information designated Highly Confidential – Attorneys' Eyes Only under the Protective Order that is extremely confidential and/or sensitive in nature and the disclosure of such information is likely to cause Google economic harm or significant competitive disadvantage. Google has filed redacted versions of its reply briefs, which redact discussions of the Google confidential information discussed above, public disclosure of which would risk competitive harm to Google.

Submission of the above-identified un-redacted versions of the reply briefs is necessary to permit the Court to fully evaluate the issues raised in Google's motions. Google therefore brings this Motion to Impound to seal the un-redacted confidential versions of Google's reply briefs.

For the foregoing reasons, Google respectfully requests that the Court permit it to file the above-identified un-redacted confidential versions of Google's reply briefs under seal. Google further requests that the documents remain impounded until further order by the Court, and that upon expiration of the impoundment that the document be returned to Google's counsel.

Respectfully submitted,

Dated: June 2, 2023

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LOCAL RULE 7.1(a)(2) CERTIFICATION

Pursuant to Local Rule 7.1(a)(2), I certify that, on May 31, 2023 and June 2, 2023, counsel for Defendant Google LLC and counsel for Plaintiff Singular Computing LLC met and conferred in good faith regarding resolution of this motion. Counsel for Plaintiff stated that it does not oppose the relief requested in this motion.

/s/ Nathan R. Speed
Nathan R. Speed

CERTIFICATE OF SERVICE

I certify that this document is being filed through the Court's electronic filing system, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF). Any counsel for other parties who are not registered participants are being served by first class mail on the date of electronic filing.

/s/ Nathan R. Speed

Nathan R. Speed